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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/058,717	01/28/2002	Yousef Georges Aouad	8296R2	6822

27752 7590 11/20/2003

THE PROCTER & GAMBLE COMPANY  
INTELLECTUAL PROPERTY DIVISION  
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CINCINNATI, OH 45224

EXAMINER

CAMERON, ERMA C

ART UNIT	PAPER NUMBER
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1762

DATE MAILED: 11/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/058,717	AOUAD ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Erma Cameron	1762	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) 29 and 31 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-21, 25 and 34 is/are allowed.
- 6) ☒ Claim(s) 1-16, 22-24, 26-28, 30, 32-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. Applicant's arguments filed 10/24/2003 have been fully considered but they are not fully persuasive.

***Election/Restrictions***

2. Claims 29 and 31 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the paper filed 10/24/2003.

3. Applicant's election with traverse of species a) and c) in the paper filed 10/24/2003 is acknowledged. The traversal is on the ground(s) that the examination of all claims would not be burdensome. This is not found persuasive because the search for the different species are not the same..

The requirement is still deemed proper and is therefore made FINAL.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. The rejection of Claims 1-28, 30 and 32-33 under 35 U.S.C. 112, second paragraph, is withdrawn because of the amendment filed 10/24/2003.

***Claim Objections***

6. The objection of Claim 30 under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim, is withdrawn because of the amendment filed 10/24/2003.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The rejection of Claims 1-16, 22-24, 26-28, 30 and 32-33 under 35 U.S.C. 103(a) as being unpatentable over EP 1020513, is withdrawn because of the amendment filed 10/24/2003.
9. The rejection of Claims 1-16, 22-24, 26-28, 30 and 32-33 under 35 U.S.C. 103(a) as being unpatentable over Edwards (3694364) is withdrawn because of the amendment filed 10/24/2003.

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10. The rejection of Claims 1-16, 22-24, 26-28, 30 and 32-33 under 35 U.S.C. 103(a) as being unpatentable over Edwards (3673110), is withdrawn because of the amendment filed 10/24/2003.

11. Claims 1-16, 22-24, 26-28, 30 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al (5698476).

‘476 teaches a laundry article that comprises a dye absorber such as an ammonium polymer resin, coupled to a fiber support matrix by chemical bonding through an intermediary such as an aziridino crosslinker (4:26-45, Example Set 1).

‘476 does not teach a slot coater to apply the crosslinker and polymer, but it would have been obvious to one of ordinary skill in the art to have selected a conventional means of application such as a slot coater.

The applicant has argued in the 10/24/2003 amendment that the soil absorber and crosslinker are not drawn into the web. However, the examples of ‘476 teach that the laundry additives are padded into the support matrix. ‘476 teaches that “...padding is a process...to force penetration of the liquid into the substrate...”. The padding would have the effect of drawing the soil absorber and crosslinker into the substrate, thus meeting applicant’s claims.

***Allowable Subject Matter***

12. Claims 17-21, 25 and 34 are allowed.

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13. The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not disclose nor suggest the method of claim 1 wherein the dye absorber is a polymeric cyclic amine, wherein the crosslinker is one of those of claim 18, wherein a waxy or hot melt material is additionally added to the substrate, or wherein the dye absorber is aromatic.

***Conclusion***

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erma Cameron whose telephone number is 703-308-2330 (571-

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272-1416 after December 9, 2003). The examiner can normally be reached on 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on 703-308-2333 (571-272-1416<sup>5</sup> after December 9, 2003). The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

*Erma Cameron*  
**ERMA CAMERON**  
**PRIMARY EXAMINER**

Erma Cameron  
Primary Examiner  
Art Unit 1762

November 18, 2003

